

2005 REPORT TO CONGRESS

ON APPORTIONMENT OF MEMBERSHIP

ON THE

REGIONAL FISHERY MANAGEMENT COUNCILS

PURSUANT TO SECTION 302(b)(2)(B) OF THE
MAGNUSON-STEVENSON FISHERY CONSERVATION AND MANAGEMENT ACT

PREPARED BY
U.S. DEPARTMENT OF COMMERCE
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A. BACKGROUND

Section 302(b)(2)(B) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires the Secretary of Commerce (Secretary) to report annually to Congress on the achievement, to the extent practicable, of a “fair and balanced apportionment,” on a rotating or other basis, of the active participants (or their representatives) in the commercial and recreational fisheries under the jurisdiction of each Regional Fishery Management Council (RFMC). This is the 14th Report related to the status of such apportionments.^{1/} In addition to assessing the annual apportionment of RFMC memberships, this Report discusses significant fishery management issues and related actions either under development or pending for 2006.

B. FAIR AND BALANCED RFMC MEMBERSHIP

The consideration of balance and fairness between commercial and recreational fishing sectors is an important element in the Secretary’s appointments. An equally important consideration is the stewardship responsibilities of RFMCs and the appointment of individuals who can work collectively with members to achieve the conservation standards under the Magnuson-Stevens Act. Successful nominees, therefore, are those who not only are qualified in accordance with the provisions located at 50 CFR 600.215, but who will also best contribute to the stewardship of marine fishery resources.^{2/}

Generally, the most qualified nominees are those whose records indicate they

1. Have achieved a level of leadership in promoting stewardship of the marine fishery resources under the jurisdiction of the RFMCs to which they would be appointed; and
2. Participate in, or represent commercial fishermen participating in, one or more commercial fisheries under the RFMCs’ jurisdictions; or
3. Participate in, or represent recreational fishermen participating in, one or more recreational fisheries under the RFMCs’ jurisdictions; or
4. Are otherwise experienced and/or knowledgeable in leadership of organizations whose members participate in a fishery or in management and conservation of natural resources, or are representatives of consumers, teachers, journalists, writers, consultants, lawyers, or marine fishery researchers.

^{1/}The initial report assessed the RFMC membership in 1991 and 1992 and was submitted to Congress on September 1, 1992.

^{2/}The qualifications for appointment are derived from Section 302(b)(2)(A) of the Magnuson-Stevens Act and are also included in regulations contained at 50 CFR 600.215.

Standard for Apportionment

Before evaluating each RFMC with respect to fairness and balance, the Secretary must first have a standard for such judgments. Although clear as to intent, the amendments to the Magnuson-Stevens Act and legislative history do not provide specific guidance for judging whether the Secretary's appointments meet the statutory standard. The National Oceanic and Atmospheric Administration (NOAA) has addressed the requirement by reasoning that, in the ideal case, voting members should be individuals with prescribed qualifications related to commercial or to recreational fishing within the RFMC's area of jurisdiction, or individuals with qualifications in one of the "other" related fishing interest categories, who are personally committed to meet the RFMC's trusteeship responsibilities for the living marine resources. This continues to be the yardstick for judging whether an individual RFMC will fulfill the paramount mandate—the conservation and management of fisheries resources.

Over the past decade, fishery management issues have become increasingly complex. Therefore, RFMC members who possess the necessary background and abilities to address current issues are critical to the ultimate success of the RFMCs. A significant consideration in appointing members is their specific knowledge of the conservation and management issues and fisheries in which each RFMC is expected to be involved. Also important is the level of nominees' participation in the fishery management process, and the support for the nominees from the fishing sector communities and other individuals, largely through endorsement letters to the Secretary.

For the purposes of this Report, three general fishing interest sectors are discussed: the commercial fishing sector, the recreational fishing sector, and an "other" sector. The "other" sector is made up of appointed members with knowledge of and experience in biological, economic, or social sciences; environmental or ecological matters; consumer affairs; and associated fields.

Nominees may be categorized as participants in more than one of the three general fishing interest sectors. In these cases, the Agency's determination about a nominee's primary interest sector is the result of the Agency's interpretation of: (1) supporting background information provided by the nominating governor; (2) background information provided by the nominee, reflecting the nominee's demonstrated principal participation; and (3) other supplemental information provided by reliable sources.

C. APPORTIONMENT OF RFMC MEMBERSHIP

RFMC members are appointed from among qualified individuals nominated by the governors of the RFMCs' constituent states and, in the case of tribal representation on the Pacific Fishery Management Council (PFMC), from among Indian representatives nominated by the appropriate Tribal Governments. A major factor in meeting the requirement to balance membership is the cooperation of the governors of the constituent states in nominating qualified individuals who are knowledgeable regarding conservation

and management or the commercial or recreational harvest of fishery resources. The process works best when governors provide the Secretary with a wide diversity of highly qualified nominees to meet the requirements of the Magnuson-Stevens Act.

On June 16, 2005, the Department of Commerce announced the appointment or reappointment of 22 voting obligatory and at-large RFMC members whose 3-year terms, having commenced on August 11, 2005, will expire on August 10, 2008. In addition, one out-of-cycle appointment was made to the South Atlantic Fishery Management Council (SAFMC), for a total of 23 appointments in 2005.

Table 1 shows the current totals in the distribution of Secretarially appointed RFMC voting members by interest sector for 2003, 2004, and 2005 (page 7). In 2005, 9 members were appointed from the commercial fishing sector, 11 members were appointed from the recreational fishing sector, and 3 members were appointed from the “other” sector. The tribal representative on the PFMC for the purposes of this table is counted as a member of the “other” sector.

Because of the limited number of RFMC seats, not all sectors and localities can be represented on each RFMC. In addition, the Secretary’s appointments are constrained by the nominations submitted by the RFMC governors. Within these parameters, the Secretary endeavors to select appointees who possess the breadth of knowledge and experience to collectively provide a balance on each RFMC, and who pursue their RFMC roles as stewards and trustees of the living resources. To the extent practicable, the appointments also seek to rotate membership, thereby distributing participation among all sectors of the fisheries-specific actions. Adjustments to the distribution of representation on each RFMC are also made, where possible, to achieve a balance of interest sectors or needed experience to address changing agendas.

Where sector or gear components are not represented on a RFMC, membership on the various RFMC advisory panels and committees is also crucial to providing those sectors with representation during RFMC deliberations, as well as with a voice on specific issues of interest.

Women and Minority Representation

Eleven women currently serve on the RFMCs. Governors are encouraged to nominate qualified female and minority candidates.

D. RFMC MEMBERSHIP VACANCIES DURING 2005

Table 2, page 8, lists the 31 RFMC members whose terms will expire on August 10, 2006. Table 3, page 9, sorts the 31 RFMC members into the three general fishing sector categories.

The Magnuson-Stevens Act prohibits the reappointment of RFMC members to a fourth consecutive term. As a result, five of the 31 members whose terms expire in 2006 will be ineligible for renomination consideration.

TABLE 1: APPOINTED RFMC MEMBERS SORTED NUMERICALLY BY FISHING SECTOR INTERESTS (2003–2005)

	Year	Commercial	Recreational	“Other”	Total
NEFMC	2003	9	2	1	12
	2004	8	3	1	12
	2005	8	3	1	12
MAFMC	2003	6	5 <u>3/</u>	2	13
	2004	6	5	2	13
	2005	5	5	3	13
SAFMC	2003	3	4	1	8
	2004	3	4 <u>4/</u>	1	8
	2005	3	4 <u>5/</u>	1	8
GMFMC	2003	4	6	1	11
	2004	5	5	1	11
	2005	5	5	1	11
CFMC	2003	2	1	1	4
	2004	2	1	1	4
	2005	2	1	1	4
PFMC	2003	2	5	2	9
	2004	2	5	2	9
	2005	2	5	2 <u>6/</u>	9
NPFMC	2003	6	1	0	7
	2004	6	1	0	7
	2005	6	1	0	7
WPFMC	2003	4	4	0	8
	2004	3	3	2 <u>7/</u>	8
	2005	3	4	1	8
ALL RFMCs	2003	36	28	8	72
	2004	35	27	10	72
	2005	34	28	10	72

3/Edward J. Mesunas, a resident of Pennsylvania, resigned effective January 2003. With the appointment of Mr. Kray, the total number of members on the MAFMC representing the recreational fishing sector remains the same.

4/Julian M. Pendarvis was appointed to an out-of-cycle vacancy in 2004. The total number of members on the SAFMC representing the recreational fishing sector remains the same.

5/Frank E. Gibson was appointed to an out-of-cycle vacancy in 2005. The total number of members on the SAFMC representing the recreational fishing sector remains the same.

6/This total includes the Tribal representative, who for the purposes of this table, is counted as a representative of the “other” sector.

7/Fishing sector changes occurred for Frank P. Farm, Jr. from the recreational sector to the “other” sector and Benigno M. Sablan from the commercial sector to the “other” sector on the WPFMC.

TABLE 2: RFMC MEMBERS' TERMS EXPIRING AUGUST 10, 2006

OBLIGATORY MEMBERS			APPT. DATE	CONSEC. TERMS SERVED		AT-LARGE MEMBERS	APPT. DATE	CONSEC. TERMS SERVED
<u>New England</u>	MA:	R. Avila/C	2003	1		D. Rice/ME (C)	2002	*1
	RI:	F. Blount Jr./R	1997	**3				
	CT:	S. McGee/O	2003	1				
	ME:	J. Odlin/C	2003	1				
<u>Mid-Atlantic</u>	NJ:	A. Bogan/R	2003	1		L. Nolan/NY (C)	2000	2
	VA:	R. Pride III/R	2000	2		D. Spitsbergen/NC (O)	2000	2
<u>South Atlantic</u>								
	GA:	C. Harris/R	2003	1		B. Currin/NC (R)	2003	1
	FL:	A. Iarocci/C	2000	2		J. Wallace/GA (C)	2003	1
<u>Gulf of Mexico</u>								
	FL:	K. Bell/C	2000	2		W. Thomassie/LA (C)	2003	1
	LA:	M. Fischer/R	1997	**3		H. K. Williams/MS (C)	1997	**3
	AL:	B. Walker/R	2000	2				
<u>Caribbean</u>	VI:	V. Brown/O	2000	2		M. Hanke/PR (R)	2003	1
<u>Pacific</u>	CA:	D. Ticehurst/R	2003	1		R. Alverson/WA (C)	1997	**3
	OR:	F. Warrens/R	2003	1		D. Hansen/CA (R)	2000	2
	Tribal Seat:	WA:	J. Harp/O	1997		**3		
<u>North Pacific</u>	WA:	D. Benson/C	2003	1		There are no at-large vacancies on the North Pacific Council		
	AK:	A. Fuglvog/C	2003	1				
	AK:	E. Rasmuson/R	2003	1				
<u>W. Pacific</u>	GU:	M. Duenas II/C	2003	1		There are no at-large vacancies on the Western Pacific Council in 2006		
	AmS:	S. Haleck/R	2003	1				
	HI:	S. Martin/C	2003	1				
TOTAL 21						TOTAL 10		

Fishing Sectors: C=commercial; R=recreational; "O"=other

*These members replaced other members who left office during a term or who are deceased; in accordance with the Magnuson-Stevens Act, section 302(b)(3), any term in which an individual was appointed to replace a member who left office during the term shall not be counted in determining the number of consecutive terms served by that Council member.

**These members were appointed after January 1, 1986, and have served three consecutive terms; therefore, they are ineligible by law for reappointment to a fourth consecutive term.

TABLE 3: OUTGOING 2006 RFMC MEMBERS GROUPED BY GENERAL FISHING SECTOR CATEGORIES			
C=COMMERCIAL	R=RECREATIONAL	“O”=OTHER	TOTAL
<u>New England</u> Rodney M. Avila James A. Odlin Dana B. Rice	Francis W. Blount, Jr.	Sally E. McGee	5
<u>Mid-Atlantic</u> Laurie A. Nolan	Anthony P. Bogan Robert H. Pride III	Dennis L. Spitsbergen	4
<u>South Atlantic</u> Anthony L. Iarocci John A. Wallace	Charles D. Harris Benjamin M. Currin		4
<u>Gulf of Mexico</u> Karen J. Bell Walter J. Thomassie H. Kay. Williams	Myron J. Fischer Bobbi M. Walker		5
<u>Caribbean</u>	Marcos R. Hanke	Viridin C. Brown	2
<u>Pacific</u> Robert D. Alverson	Darrell J. Ticehurst Frank R. Warrens Donald K. Hansen	James E. Harp (Tribal Representative)	5
<u>North Pacific</u> David W. Benson Arne J. Fuglvog	Edward B. Rasmuson		3
<u>Western Pacific</u> Manuel P. Duenas II Sean C. Martin	Stephen Haleck		3
Total 14	Total 13	Total 4	Total 31

Removal of Members

On occasion after appointments have been made, RFMC constituents have advised the Secretary of concerns about or indicated disagreement with some of the Secretarial appointment decisions. In some cases, constituents have called for the revocation of particular appointments. All such concerns are noted. However, in accordance with Section 302(b)(6) of the Magnuson-Stevens Act, the removal of a council member is limited to the following circumstances:

- a) The Secretary may remove for cause any Secretarially appointed RFMC member only when the RFMC concerned first recommends removal of the member by not less than two-thirds of the RFMC voting members, and the RFMC submits such removal recommendation to the Secretary in writing, together with a statement of the basis for the recommendation; or
- b) After notice and an opportunity for a hearing in accordance with Section 554 of Title 5, United States Code, the member is found by the Secretary to have committed an act prohibited by Section 307(1)(O) of the Magnuson-Stevens Act, which pertains to compliance with financial disclosure requirements.

E. THE SECRETARY'S 2005 APPOINTMENTS/2006 REPORT RECOMMENDATIONS

As a result of the annual appointments announced on June 16, 2005, 22 members were seated on August 11, 2005. In addition, Frank E. Gibson was appointed to the SAFMC, to complete Mr. Pendarvis' term, which will expire August 10, 2007.

The following sections update RFMC appointment rosters, specify apportionment totals for RFMC members, discuss fishery management issues and challenges being addressed by each RFMC, and make Secretarial recommendations for future nomination and appointment considerations. The latter reflects information included in letters sent to the constituent state governors requesting nominees, consistent with regulations at 50 CFR 600.215. The governors are required to submit their nominees by March 15, 2006.

1. New England Fishery Management Council (NEFMC)

BACKGROUND SUMMARY:

Terms expired in 2005 for four NEFMC members. As a result of the 2005 appointments, the composition of fishing sector representatives remains unchanged at eight commercial, three recreational, and one “other.” The current geographical balances regarding the distribution of at-large seats on the NEFMC remains unchanged. The appointees and reappointees are as follows:

New Member/Fishing Sector

Michael P. Leary/commercial
Thomas R. Hill/recreational
John W. Pappalardo/commercial
James W. Salisbury/commercial

Outgoing Member/Fishing Sector

Anthony Fernandes III/commercial
Reappointment
Reappointment
John C. Williamson/commercial (ineligible, by law, for a fourth consecutive term)

The following table lists the Secretarial appointees currently on the NEFMC:

2005 NEW ENGLAND FISHERY MANAGEMENT COUNCIL (12 Members)				
Obl/Atl	Appointed Members	State	Appt. ends	Interest Sector
O	AVILA, RODNEY M.	MA	2006	C
O	BLOUNT, FRANCIS W. JR.	RI	2006	R
O	GOETHEL, DAVID T.	NH	2007	C
O	MCGEE, SALLY E.	CT	2006	O
O	ODLIN, JAMES A.	ME	2006	C
A	CUNNINGHAM, COLIN M. JR.	MA	2007	R
A	LEARY, MICHAEL P.	NH	2008	C
A	HILL, THOMAS R.	MA	2008	R
A	PAPPALARDO, JOHN W.	MA	2008	C
A	RICE, DANA B.	ME	2006	C
A	RUHLE, PHILIP R. JR.	RI	2007	C
A	SALISBURY, JAMES W.	ME	2008	C

EXPIRING TERMS:

The following members’ terms will expire on August 10, 2006:

1. Rodney M. Avila – commercial fishing sector – Massachusetts’ obligatory seat

2. Francis W. Blount Jr. – recreational fishing sector – Rhode Island’s obligatory seat; by law, Mr. Blount, who is completing a third consecutive term, is ineligible for renomination to a fourth consecutive term.
3. Sally E. McGee – “other” sector – Connecticut’s obligatory seat
4. James A. Odlin – commercial fishing sector – Maine’s obligatory seat
5. Dana B. Rice – commercial fishing sector – at- large seat (Maine)

2006 REPORT RECOMMENDATION(S):

The majority of stocks within the NEFMC’s geographical area are primarily associated with commercial fisheries. Of the seven members whose terms do not expire in 2006, five are from the commercial harvesting sector and two are from the recreational fishing sector. Members from the commercial harvesting sector have experience in the groundfish, scallop, flounder, herring, and monkfish fisheries, utilizing trawl, dredge, gillnet, purse seiners, and longline gear. Recreational fishing sector members are all rod-and-reel fishermen representing private or for-hire recreational fishery sectors.

The five upcoming vacancies include three outgoing members from the commercial sector, one from the recreational sector, and one from the “other” sector. Although nominees should include commercial fisheries representatives with experience in all the major fisheries, the governors are encouraged to nominate representatives from the recreational fishing sector with rod-and-reel and hook-and-line experience, as well as representatives from the “other” sector, including people with knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION:

The NEFMC is responsible for six Fishery Management Plans (FMPs): Northeast multispecies, Atlantic sea scallop, Atlantic herring, deep-sea red crab, skates, and Atlantic salmon. In addition, the NEFMC and Mid-Atlantic Fishery Management Council (MAFMC) are jointly responsible for two FMPs (spiny dogfish and monkfish). The NEFMC has the lead responsibility for the monkfish FMP, while the MAFMC has the lead responsibility for the dogfish FMP.

The species managed by the NEFMC are primarily commercial; however, the multispecies fishery has an important recreational component (party/charter and private vessels). The salmon fishery is considered recreational, although possession of Atlantic salmon is prohibited in the Exclusive Economic Zone (EEZ) under the Atlantic salmon FMP. Management of all of the fisheries must take into consideration effects of the fisheries on habitat, and must consider ways to minimize bycatch. Fishing gear technology and selectivity are areas of great interest, to allow healthy stocks to be

harvested at or near their optimum yields while protecting overfished and rebuilding stocks.

In 2005, the Council's management actions included:

- **Northeast Multispecies**
The Council completed Framework 40-B to the FMP, which provided additional flexibility and addressed other issues in the management program. The Council also continued its development of Framework 42 to the FMP, which is a major biennial adjustment to the management measures to ensure that the fishing mortality objectives of the FMP are met, overfishing is prevented, and stocks continue to rebuild.
- **Atlantic Sea Scallops**
The Council completed Framework 17, which implemented vessel monitoring system requirements for General category scallop vessels. The Council also continued its development of Framework 18, which will propose biennial adjustments to the area rotation system and other management measures for the scallop fishery.
- **Atlantic Herring**
The Council recommended annual specifications for the 2006 fishery and continued work on a major amendment to the Herring FMP (Amendment 1), which will propose a limited access program for this fishery, as well as make other adjustments to the management program.
- **Monkfish**
The Council made annual adjustments to the fishery for 2005 and began development of Framework 3 to the FMP to revise trip limits consistent with multispecies regulations.
- **Deep-sea Red Crab**
The Council completed annual specifications for the 2006 fishery and Framework 1, which provides for multi-year specifications for the fishery.
- **Habitat**
The Council continued development of an omnibus habitat amendment, which will amend the Council's FMPs to revise essential fish habitat designations and to implement additional measures to protect habitat.

Council priorities for 2006 include:

- Completion of a major amendment to the Atlantic herring FMP (Amendment 1);
- Continued development of a two-part omnibus amendment to address issues regarding essential fish habitat across all of the Council's FMPs;

- Development of an amendment to the Scallop FMP to control effort in the General category scallop fishery (Amendment 11);
- Development of a limited access program for the whiting fishery (Amendment 14 to the NE Multispecies FMP);
- Framework actions to limit groundfish bycatch in the herring fishery (Framework 43); to modify monkfish trip limits (Framework 3); to make annual adjustments to the monkfish fishery; and to make biennial adjustments to the scallop (Framework 18) and groundfish (Framework 42) fisheries; and
- Completion of specification recommendations for the 2007 herring and monkfish fisheries.

2. Mid-Atlantic Fishery Management Council (MAFMC)

BACKGROUND SUMMARY:

Terms expired in 2005 for five MAFMC members. As a result of the 2005 appointments, the composition of fishing sector representatives is five commercial, five recreational, and three “other,” which reflects a change from six commercial, five recreational, and two “other.” The current geographical balance regarding the distribution of at-large seats on the MAFMC remains unchanged. The appointees and reappointees are as follows:

New Member/Fishing Sector

Patrick H. Augustine/recreational
Eugene J. Kray/recreational
James A. Ruhle Sr./commercial
William P. Jensen/ “other”

Scott B. Holder/recreational

Outgoing Member/Fishing Sector

Reappointment
Reappointment
Reappointment
Ricks E Savage/commercial,
(ineligible, by law, for a fourth
consecutive term)
Charles A. Witek/recreational

The following table lists the Secretarial appointees currently on the MAFMC:

2005 MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (13 Members)				
Obl/Atl	Appointed Members	State	Appt. ends	Interest Sector
O	AUGUSTINE, PATRICK H.	NY	2008	R
O	BOGAN, ANTHONY P.	NJ	2006	R
O	KRAY, EUGENE J.	PA	2008	R
O	PRIDE, ROBERT H. III	VA	2006	R
O	RUHLE, JAMES A. SR.	NC	2008	C
O	JENSEN, WILLIAM P.	MD	2008	O
O	SMITH, RONAL W.	DE	2007	O
A	NOLAN, LAURIE A.	NY	2006	C
A	PEABODY, YVONNE M.	VA	2007	C
A	PUSKAS, FRANCES E.	NJ	2007	C
A	SIMNS, LAWRENCE W.	MD	2007	C
A	SPITSBERGEN, DENNIS L.	NC	2006	O
A	HOLDER, SCOTT B.	NY	2008	R

EXPIRING TERMS:

The following members' terms will expire on August 10, 2006:

1. Anthony P. Bogan – recreational fishing sector – New Jersey's obligatory seat
2. Robert H. Pride III – recreational fishing sector – Virginia's obligatory seat
3. Laurie A. Nolan – commercial fishing sector – at-large seat (New York)
4. Dennis L. Spitsbergen – "other" sector – at-large seat (North Carolina)

2006 REPORT RECOMMENDATION(S):

A total of nine members will continue after 2006—four from the commercial sector, three from the recreational sector, and two from the "other" sector. All of the commercial sector members are harvesters, with experience in the bluefish, flounder, scup, black seabass, monkfish, spiny dogfish, scallop, squid, mackerel, butterfish, herring, and tilefish fisheries, utilizing dredge, gillnet, and trawl gear. Recreational sector members are all rod-and-reel fishermen representing private or for-hire recreational fishery sectors.

MAFMC fisheries have both commercial and recreational components; therefore, it is important that a balance be achieved between both sectors. Governors are encouraged to nominate representatives from the recreational private and charter/party fishery, with hook-and-line experience, as well as representatives from the commercial sector from among fisheries for summer flounder, squid, mackerel, tilefish, scup, black sea bass, scallops, surfclam, ocean quahog, and monkfish. Also, governors are encouraged to nominate representatives from the "other" sector, including people with knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION:

The MAFMC is responsible for five existing Fishery Management Plans (FMPs): summer flounder, scup, and black sea bass; Atlantic mackerel, squid, and butterfish; surfclam and ocean quahog; tilefish; and Atlantic bluefish. In addition, the MAFMC and New England Fishery Management Council (NEFMC) are jointly responsible for two other FMPs (spiny dogfish and monkfish). The MAFMC has the lead responsibility for the spiny dogfish FMP, and the NEFMC has the lead responsibility for the monkfish FMP.

Some of these fisheries are primarily commercial (e.g., surfclam, ocean quahog, tilefish, spiny dogfish, squid, and butterfish); others have significant recreational components (bluefish, summer flounder, scup, black sea bass, and Atlantic mackerel). Management of all of the fisheries must take into consideration effects of the fisheries on habitat, and must consider ways to minimize bycatch.

In 2005, the Council's management actions included:

- **Summer Flounder/Scup/Black Sea Bass**

In addition to developing annual specifications and recreational measures for these fisheries, the Council initiated development of Framework 6 to allow regional recreational specifications in the summer flounder fishery; Amendment 14 to the FMP to develop a rebuilding program for scup; and Amendment 15 to the FMP to comprehensively address allocation and conservation issues in the summer flounder, scup, and black seabass fisheries.

- **Surfclams/Ocean Quahogs**

The Council developed annual specifications for the ocean quahog fishery for 2006.

- **Squid/Mackerel/Butterfish**

In addition to developing annual specifications for these fisheries in 2006, the Council continued the development of Amendment 9 to the FMP, which would revise *Illex* squid quota procedures, and make other modifications to the management of these fisheries. The Council also initiated development of Amendment 10 to establish a rebuilding program for butterfish, and Amendment 11 to establish a limited access program for Atlantic mackerel.

- **Spiny Dogfish**

The Council developed annual specifications for this fishery and completed Framework 1 to the FMP, to provide for multi-year specifications in the fishery.

- **Tilefish**

The Council continued development of Amendment 1 to the FMP to establish an individual transferable quota (ITQ) system in this fishery.

Council priorities for 2006 include:

- Completion of Amendment 9 to the Atlantic Mackerel/Squid/Butterfish FMP, which will address habitat issues and extend the *Illex* squid moratorium;
- Continued development of Amendment 1 to the Tilefish FMP, which would implement ITQs in the fishery;

- Development of a rebuilding program for scup through Amendment 14 to the Summer Flounder, Scup, and Black Seabass FMP;
- Development of a rebuilding program for butterfish through Amendment 10 to the Atlantic Mackerel, Squid, and Butterfish FMP;
- Completion of Framework 6 to the Summer Flounder, Scup, and Black Seabass FMP to provide for regional conservation equivalency in recreational summer flounder specifications;
- Development of a limited access program for the Atlantic mackerel fishery through Amendment 11 to the Atlantic Mackerel/Squid/Butterfish FMP;
- Annual specifications for the summer flounder/scup/black sea bass; spiny dogfish; mackerel/squid/butterfish; bluefish; and surfclam/ocean quahog fisheries, including research set-asides, as warranted; and
- In conjunction with the Atlantic States Marine Fisheries Commission, development of Amendment 15 to the Summer Flounder, Scup, and Black Seabass FMP, to address changes to biological reference points for summer flounder and to consider allocation issues in the FMP.

3. South Atlantic Fishery Management Council (SAFMC)

BACKGROUND SUMMARY:

Terms expired in 2005 for two SAFMC members. As result of the 2005 appointments, and an out-of-cycle appointment, the composition of fishing sector representatives remains unchanged at three commercial, four recreational, and one “other.” The current geographical balance regarding the distribution of at-large seats on the SAFMC remains unchanged. The appointees and reappointee are as follows:

New Member/Fishing Sector

David M. Cupka/“other”
George J. Geiger/recreational
Frank E. Gibson/recreational

Outgoing Member/Fishing Sector

John M. Dean/“other”
Reappointment
Julian M. Pendarvis/recreational

The following table lists the Secretarial appointees currently on the SAFMC:

2005 SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL (8 Members)				
Obl/Atl	Appointed Members	State	Appt. ends	Interest Sector
O	HARRIS, CHARLES D.	GA	2006	R
O	IAROCCI, ANTHONY L.	FL	2006	C
O	MERRITT, RITA G.	NC	2007	C
O	GIBSON, FRANK E.	SC	2007	R
A	CURRIN, BENJAMIN M.	NC	2006	R
A	CUPKA, DAVID M.	SC	2008	O
A	GEIGER, GEORGE J.	FL	2008	R
A	WALLACE, JOHN A.	GA	2006	C

EXPIRING TERMS:

The following members’ terms will expire on August 10, 2006:

1. Charles D. Harris – recreational fishing sector – Georgia’s obligatory seat
2. Anthony L. Iarocci – commercial fishing sector – Florida’s obligatory seat
3. Benjamin M. Currin – recreational fishing sector – at-large seat (North Carolina)
4. John A. Wallace – commercial fishing sector – at-large seat (Georgia)

2006 REPORT RECOMMENDATION(S):

Of the four members whose terms do not expire in 2006, one is a commercial harvester, two are recreational fishermen, and one is from the “other” sector (fisheries management). The governors are encouraged to submit nominees from both the commercial and recreational sectors so the Secretary can achieve a balance between these two interest groups. While nominees to help balance the commercial and recreational memberships are important, the governors should also be encouraged to submit nominees from the “other” sector, including people with knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION:

The SAFMC has prepared FMPs and amendments for the following fisheries or living marine resources in the South Atlantic EEZ: red drum; shrimp (penaeid and rock); coral, coral reef and live/hard bottom habitats; golden crab; dolphin-wahoo; *Sargassum*; calico scallop; and the snapper-grouper species complex. The SAFMC and the Gulf of Mexico Fishery Management Council (GMFMC) have prepared joint FMPs for spiny lobster and coastal migratory pelagic (CMP) species (including mackerel) in the South Atlantic and Gulf of Mexico.

In 2005, the Council’s management actions included:

- Amendment 6 to the Shrimp FMP was submitted to the Secretary of Commerce for review and implementation. Amendment 6 requires shrimp permits, modifies the Bycatch Reduction Device (BRD) protocol in the FMP framework, establishes standardized bycatch reporting methodologies, requires vessel permits, requires the use of BRDs in the rock shrimp fishery, and establishes or modifies stock reference points and status determination criteria for managed shrimp species.
- Final action was taken on snapper Grouper Amendment 13C, which specifies management measures to end overfishing on snowy grouper, golden tilefish, vermilion snapper, and black sea bass, and allows for an increase in the harvest of red porgy.
- Considerable effort was devoted with the Southeast Regional Office and the Southeast Fisheries Science Center to develop options and conduct analyses for Snapper Grouper Amendment 13B. This Amendment was to specify required Sustainable Fisheries Act (SFA) parameters in the snapper-grouper fishery and establish management measures to end overfishing and rebuild stocks. In 2005, Amendment 13B was divided into Amendment 13B, Amendment 13C, Amendment 14, and Amendment 15.
- Drafting an Amendment to transfer management authority of red drum in the South Atlantic EEZ from the SAFMC (authority under the Magnuson-Stevens Act) to the Atlantic States Marine Fisheries Commission (ASMFC) (authority under the Atlantic Coastal Fisheries Cooperative Management Act).

- Amendment 15 to the CMP FMP, which establishes a limited access system for commercial king mackerel permits and changes the fishing year for the Atlantic migratory group of Atlantic king and Spanish mackerel, was submitted to the Secretary of Commerce for review and implementation.
- Amendment 17 to the CMP FMP, to establish a limited access system in the Gulf of Mexico for vessels possessing for-hire CMP permits, was submitted to the Secretary of Commerce for review and implementation.
- Generic Essential Fish Habitat (EFH) Amendment 3, which designates EFH and Habitat Areas of Particular Concern and establishes habitat protection measures in the Gulf of Mexico, was submitted to the Secretary of Commerce for review and implementation.

The SAFMC also:

- Determined Atlantic coast king and Spanish mackerels required no adjustments in 2005;
- Administered and actively participated in the Southeast Data Assessment and Review (SEDAR) process for South Atlantic black sea bass; South Atlantic, Gulf of Mexico, and Caribbean spiny lobster; and Gulf of Mexico red snapper, vermilion snapper, and amberjack;
- Continued development of a Fisheries Ecosystem Plan and Comprehensive Amendment; and
- Continued to support NMFS by participating in International Commission for the Conservation of Atlantic Tunas Advisory Committee activities, and the Highly Migratory Species and Billfish Advisory Panels.

Council priorities for 2006 include:

- Submit to the Secretary of Commerce for review and implementation Amendment 13C to the Snapper Grouper FMP to establish management measures to end overfishing of snowy grouper, golden tilefish, vermilion snapper, and black sea bass, and allow for increased harvest of red porgy;
- Developing Amendment 14 to the Snapper Grouper FMP to establish Marine Protected Areas;
- Developing Amendment 15 to the Snapper Grouper FMP to specify SFA parameters for snapper-grouper species in Amendment 13C, specify rebuilding programs for overfished species, and modify permit requirements.
- Transfer the red drum FMP from the SAFMC to the ASMFC;
- Administer and actively participate in the SEDAR process for South Atlantic and Gulf of Mexico gag and king mackerel; South Atlantic red porgy; and Gulf of Mexico red grouper, vermilion snapper, amberjack, and goliath grouper; and
- Continue development of the Ecosystem Management Plan and Comprehensive Amendments.

4. Gulf of Mexico Fishery Management Council (GMFMC)

BACKGROUND SUMMARY:

Terms expired in 2005 for three GMFMC members. As a result of the 2005 appointments, the composition of fishing sector representatives remains five commercial, five recreational, and one “other.” However, the appointments changed the geographical balance regarding the distribution of available at-large seats on the GMFMC. Dr. Robert Shipp of Alabama now holds the at-large seat formerly held by Mr. Maumus Claverie of Louisiana. The appointees and reappointee are as follows:

New Member Fishing Sector

Robert L. Shipp/recreational

William K. Daughdrill/recreational

Joseph P. Hendrix/commercial

Outgoing Member/Fishing Sector

Maumus F. Claverie/recreational (ineligible, by law, for a fourth consecutive term)

James B. Fensom/recreational

Reappointment

The following table lists the Secretarial appointees currently on the GMFMC:

2005 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL (11 Members)				
Obl/Atl	Appointed Members	State	Appt. ends	Interest Sector
O	ADAMS, NORMAN D. III	TX	2007	R
O	BELL, KAREN J.	FL	2006	C
O	FISCHER, MYRON J.	LA	2006	R
O	HORN, PHILIP D.	MS	2007	C
O	WALKER, BOBBI M.	AL	2006	R
A	SHIPP, ROBERT L.	AL	2008	R
A	DAUGHDRILL, WILLIAM K.	FL	2008	R
A	HENDRIX, JOSEPH P. JR.	TX	2008	C
A	MORRIS, JULIE K.	FL	2007	O
A	THOMASSIE, WALTER J.	LA	2006	C
A	WILLIAMS, HAROLYN K.	MS	2006	C

EXPIRING TERMS:

The following members' terms will expire on August 10, 2006:

1. Karen J. Bell – commercial fishing sector – Florida's obligatory seat

2. Myron J. Fischer – recreational fishing sector – Louisiana’s obligatory seat; by law, Mr. Fischer, who is completing a third consecutive term, is ineligible for renomination to a fourth consecutive term.
3. Bobbi M. Walker – recreational fishing sector – Alabama’s obligatory seat
4. Walter J. Thomassie – commercial fishing sector – at-large seat (Louisiana)
5. Harolyn K. Williams – commercial fishing sector – at-large seat (Mississippi); by law, Ms. Williams, who is completing a third consecutive term, is ineligible for renomination to a fourth consecutive term.

2006 REPORT RECOMMENDATION(S):

Of the six members whose terms continue beyond 2006, two are from the commercial sector, three are from the recreational sector, and one is from the “other” sector. The remaining commercial members’ experiences include harvesting, processing, and seafood marketing, while the recreational members are all rod-and-reel fishermen.

The governors are strongly encouraged to provide the Secretary with a broad spectrum of nominees from the commercial and recreational sectors as a basis for maintaining a balanced membership between those two sectors. Commercial representatives should have a mix of knowledge and experience from all major commercial fisheries, including shrimp, reef fish, migratory pelagics, and crab. Recreational nominees should include representatives from the charter boat fishery. Also, governors are encouraged to nominate representatives from the “other” sector, including people with knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION:

The GMFMC has prepared FMPs and amendments for the following fisheries or living marine resources in the Gulf of Mexico EEZ: reef fish, shrimp, coral and coral reefs, red drum, and stone crab. The GMFMC and the South Atlantic Fishery Management Council have prepared joint FMPs for the spiny lobster fishery and coastal migratory pelagic (CMP) species (king and Spanish mackerel, dolphin [Gulf only], and cobia) in the Gulf of Mexico and South Atlantic.

In 2005, the Council’s management actions included:

- Amendment 18A to the Reef Fish FMP, which addresses several enforcement issues and would require Vessel Monitoring Systems for all vessels possessing commercial reef fish permits, was submitted to the Secretary of Commerce for review and implementation;

- Amendment 24 to the Reef Fish FMP, to extend the moratorium on commercial reef fish permits indefinitely and established biological reference points and status determination criteria, was submitted to the Secretary of Commerce for review and implementation;
- Amendment 15 to the CMP FMP, to extend the moratorium on commercial king mackerel permits indefinitely and change the fishing year for Atlantic king and Spanish mackerel, was submitted to the Secretary of Commerce for review and implementation;
- Amendment 17/25 to the CMP and Reef Fish FMP, to establish a limited access system for vessels possessing for-hire CMP and/or reef fish permits, was submitted to the Secretary of Commerce for review and implementation;
- Generic Essential Fish Habitat (EFH) amendment 3, which designates EFH and Habitat Areas of Particular concern and establishes habitat protection measures, was approved by the Secretary of Commerce for review and implementation;
- Amendment 13 to the Shrimp FMP, which establishes status determination criteria, standardized reporting requirements, and a permit moratorium, was submitted to the Secretary of Commerce for review and implementation;
- An emergency rule request to set trip limits for the commercial grouper fishery was implemented;
- An interim rule request to reduce recreational landings of red grouper was implemented;
- A regulatory amendment to the Reef Fish FMP to establish a trip limit for the commercial grouper fishery was submitted to the Secretary of Commerce for review and implementation;
- A regulatory amendment to the Reef Fish FMP to reduce recreational landings of red grouper and prevent or minimize impacts on other grouper was submitted to the Secretary of Commerce for review and implementation;
- Drafting Amendment 26 to the Reef Fish FMP, which would establish an Individual Fishing Quota (IFQ) for the commercial red snapper; and
- Drafting a Preliminary Options Paper for the Generic Offshore Aquaculture Amendment to establish a permit system, monitoring requirements, and best practices for conducting aquaculture in the EEZ.

The GMFMC also:

- Conducted a series of ecosystem management workshops; and
- Actively participated in the Southeast Data Assessment and Review (SEDAR) process for red snapper, gray triggerfish, vermillion snapper, and greater amberjack.

Council priorities for 2006 include:

- Submit to the Secretary of Commerce Amendment 26 to the Reef Fish FMP, which would establish an IFQ for the commercial red snapper;
- Draft Amendment 14/27 to the Shrimp and Reef Fish FMPs to revise the rebuilding plan for red snapper and certification criteria for bycatch reduction devices;

- Draft Amendment 15/28 to the Shrimp and Reef Fish FMPs to reduce red snapper bycatch in both the directed fishery and shrimp trawl fishery;
- Develop a Dedicated Access Program for grouper;
- Develop draft regulatory amendment to the Reef Fish FMP for vermilion snapper, gray triggerfish, and greater amberjack if needed;
- Draft Generic Offshore Aquaculture Amendment to establish a permit system, monitoring requirements, and best management practices for conducting aquaculture in the EEZ;
- Develop draft Amendment 29 to the Reef Fish FMP to allocate grouper;
- Participate in the SEDAR process for gag and red grouper; and
- Review the Southeast Fisheries Science Center updated stock assessment for king mackerel.

5. Caribbean Fishery Management Council (CFMC)

BACKGROUND SUMMARY:

The term expired in 2005 for one CFMC member. As a result of the 2005 appointments, the composition of fishing sector representatives remains the same at two commercial, one recreational, and one “other.” The current geographical balance regarding the distribution of at-large seats on the CFMC remains unchanged. The reappointee is as follows:

New Member Fishing Sector
Eugenio Piñeiro-Soler/commercial

Outgoing Member/Fishing Sector
Reappointment

The following table lists the Secretarial appointees currently on the CFMC:

2005 CARIBBEAN FISHERY MANAGEMENT COUNCIL (4 Members)				
Obl/Atl	Appointed Members	State	Appt. ends	Interest Sector
O	BROWN, VIRDIN C.	VI	2006	O
O	PIÑEIRO-SOLER, EUGENIO	PR	2008	C
A	HANKE, MARCOS R.	PR	2006	R
A	LESTER, MONICA M.	VI	2007	C

EXPIRING TERM:

The following members’ terms will expire on August 10, 2006:

1. Virdin C. Brown – “other” sector – Virgin Islands’ obligatory seat
2. Marcos R. Hanke – recreational fishing sector – Puerto Rico’s obligatory seat

2006 REPORT RECOMMENDATION(S):

The two members of the Council whose terms do not expire in 2006 are from the commercial sector. The Governors are encouraged to nominate representatives from the recreational fishing sector and nominees from the “other” sector, including people with knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management. This could provide the Secretary with the opportunity to appoint a member who could bring additional perspective to Council deliberations.

DISCUSSION:

The CFMC has prepared Fishery Management Plans (FMPs) and amendments for the following fisheries or living marine resources in the Caribbean EEZ: spiny lobster, reef fish, coral and reef associated plants and invertebrates, and queen conch.

In 2005, the Council's management actions included:

- An interim rule to prohibit all fishing from February 1 to April 30, 2005, on Grammanik Bank, located adjacent to the Marine Conservation District south of St. Thomas, U.S. Virgin Islands. This action was requested to protect spawning aggregations of yellowfin grouper on Grammanik Bank.
- The Comprehensive Amendment Addressing Sustainable Fishing Act (SFA) Definitions and Other Required Provisions of the Magnuson-Stevens Act in the FMPs of the U.S. Caribbean was submitted to the Secretary of Commerce for review and implementation. This Amendment specifies required SFA parameters for all CFMC-managed species, establishes management measures to end overfishing and rebuild stocks, and implements Essential Fish Habitat measures.

The CFMC also:

- Actively participated in the Southeast Data Assessment and Review process for yellowtail snapper and spiny lobster;
- Actively participated in an international delegation to study how to strengthen the Western Central Atlantic Fisheries Commission;
- Participated in an international Large Marine Ecosystem project;
- Actively participated in the international Queen Conch Initiative; and
- Actively participated in an international symposium on spiny lobster management and trade.

Council priorities for 2006 include:

- Utilize a Fishery Negotiation Panel to address limited entry and gear rationalization for several resources;
- Consult with local governments to develop compatible closed season and other regulations to reduce fishing effort;
- Draft an options paper on the use of escape vents in fish traps; and
- Investigate spiny lobster management and trade issues in the remaining fishery management councils.

6. Pacific Fishery Management Council (PFMC)

BACKGROUND SUMMARY:

Terms expired in 2005 for two PFMC members. As a result of the 2005 appointments, the composition of fishing sector representatives remains the same at two commercial, five recreational, one “other,” and one tribal representative, who is counted as a representative of the “other” sector. The current geographical balance regarding the distribution of available at-large seats on the PFMC remains unchanged. The appointee and reappointee are as follows:

New Member/Fishing Sector

Mark V. Cedergreen/recreational

Rodney H. Moore/commercial

Outgoing Member/Fishing Sector

Reappointment

Ralph H. Brown/commercial (ineligible, by law, for a fourth consecutive term)

The following table lists the Secretarial appointees currently on the PFMC:

2005 PACIFIC FISHERY MANAGEMENT COUNCIL (9 Members)				
Obl/Atl	Appointed Members	State	Appt. ends	Interest Sector
O	CEDERGREEN, MARK V.	WA	2008	R
O	ORTMANN, DAVID W.	ID	2007	O
O	TICEHURST, DARRELL J.	CA	2006	R
O	WARRENS, FRANK R.	OR	2006	R
O	PFMC TRIBAL SEAT (*T): HARP, JAMES E.	WA	2006	T
A	ALVERSON, ROBERT D.	WA	2006	C
A	MOORE, RODNEY H.	OR	2008	C
A	HANSEN, DONALD K.	CA	2006	R
A	THOMAS, ROGER	CA	2007	R

EXPIRING TERMS:

The following members' terms will expire on August 10, 2006:

1. Darrell J. Ticehurst – recreational fishing sector – California's obligatory seat
2. Frank R. Warrens – recreational fishing sector – Oregon's obligatory seat

3. James E. Harp – “other” sector – Tribal Representative; by law, Mr. Harp, who is completing his third consecutive term, is ineligible for renomination to a fourth term.
4. Robert D. Alverson – commercial fishing sector – at-large seat (Washington); by law, Mr. Alverson, who is completing his third consecutive term, is ineligible for renomination to a fourth term.
5. Donald K. Hansen – recreational fishing sector – at-large seat (California)

2006 REPORT RECOMMENDATION(S):

Members who will continue to serve beyond 2005 include one from the commercial sector (seafood processing), two from the recreational sector utilizing rod-and-reel and hook-and-line gear, and one from the “other” sector.

Because salmon, halibut, groundfish, and highly migratory species have commercial and recreational elements, it is important to maintain a balance of both sector interests on the PFMC. Two recreational members will remain on the Council after 2006, compared to only one commercial member. Governors are encouraged to provide nominees from the commercial sector with expertise in all fisheries managed by the PFMC, as well as representatives from the recreational sector and the “other” sector, including people with knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

James E. Harp, the tribal representative, holds an expiring seat on the Council. This seat is held exclusively by a representative of an Indian Tribe with federally recognized fishing rights from the States of California, Oregon, Washington, or Idaho. The Magnuson-Stevens Act specifies the Secretary of Commerce shall appoint a representative to the Council from a list of individuals submitted by tribal governments.

DISCUSSION:

The PFMC has prepared FMPs for: Pacific Coast groundfish, West Coast salmon fisheries, coastal pelagic species (CPS) fisheries, and highly migratory species (HMS) fisheries.

The PFMC also has responsibility for allocating Pacific halibut among treaty Indian and non-Indian commercial and recreational users in Area 2A under the Northern Pacific Halibut Act.

In 2005, the Council's management actions included:

- Adopt new stock assessments for 23 groundfish species;
- Complete the Essential Fish Habitat (EFH) Environmental Impact Study and EFH FMP amendment and implementing regulations;
- Complete the Bycatch Minimization FMP amendment and implementing regulations;
- Expand the Vessel Monitoring System from the limited entry fleet to the groundfish open access fleet;
- Continue work on developing individual fishing quotas for the groundfish trawl fishery;
- Initiate a long-term allocation strategy for the West Coast sardine fishery;
- Initiate steps to prohibit krill fishing in the EEZ off the West Coast;
- Take an active role in the management of HMS including providing conservation recommendations to international fishery management organizations;
- Address the challenge of providing opportunities for commercial, recreational, and treaty Indian fisheries in the ocean while protecting ESA-listed and other depressed salmon stocks.

Council priorities for 2006 and 2007 include:

- Develop groundfish harvest specifications and management measures for 2007–2008;
- Develop new rebuilding plans for nine overfished stocks;
- Explore a license limitation program for the open access groundfish fishery;
- Continue to work on developing individual fishing quotas for the groundfish trawl fishery;
- Complete the HMS FMP to include the longline fishery; and
- Finalize the prohibition on the directed harvest of krill.

7. North Pacific Fishery Management Council (NPFMC)

BACKGROUND SUMMARY:

Terms expired in 2005 for two NPFMC obligatory members. As a result of the 2005 appointments, the composition of fishing sector representatives on the NPFMC remains unchanged at six commercial and one recreational. There are no available at-large seats on the NPFMC. The appointee and reappointee are as follows:

New Member Fishing Sector

Milton J. Bundy/commercial

Eric A. Olson/commercial

Outgoing Member Fishing Sector

Reappointment

Hazel C. Nelson/commercial

The following table lists the Secretarial appointees currently on the NPFMC:

2005 NORTH PACIFIC FISHERY MANAGEMENT COUNCIL (7 Members)				
Obl/Atl	Appointed Members	State	Appt. ends	Interest Sector
O	BENSON DAVID W.	WA	2006	C
O	BUNDY, MILTON J.	WA	2008	C
O	FUGLVOG, ARNE J.	AK	2006	C
O	HOEDEL, DOUGLAS W.	AK	2007	C
O	MADSEN, STEPHANIE D.	AK	2007	C
O	OLSON, ERIC A.	AK	2008	C
O	RASMUSON, EDWARD B.	AK	2006	R

EXPIRING TERMS:

The following members' terms will expire on August 10, 2006:

1. David W. Benson – commercial fishing sector – Washington's obligatory seat
2. Arne J. Fuglvog – commercial fishing sector – Alaska's obligatory seat
3. Edward B. Rasmuson – recreational fishing sector – Alaska's obligatory seat

2006 REPORT RECOMMENDATION(S):

NPFMC members who will continue beyond 2006 include four from the commercial sector, with experience in harvesting or processing in one or more of the commercial fisheries under Council purview. Although commercial fisheries are particularly important in this region, the governors of Alaska and Washington are encouraged to continue to nominate representatives from the recreational and "other" sectors, as well as

from the commercial sector. “Other” sector nominees should include persons with backgrounds in academics, fisheries management, environmental science, economics, or social science, and who have knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION:

The NPFMC has five Fishery Management Plans (FMPs) in place for: Gulf of Alaska (GOA) groundfish, Bering Sea and Aleutian Islands (BSAI) groundfish, salmon fisheries in the EEZ, BSAI king and Tanner crab, and scallop fisheries in the GOA and BSAI.

The Council recently adopted additional amendments to the groundfish and crab FMPs, which have not yet been approved and implemented. Crab rationalization amendments to the FMP for BSAI King and Tanner Crabs were approved before January 1, 2005, as mandated by the Consolidated Appropriations Act of 2004, and were fully implemented during 2005. Routine management of the fisheries under the salmon, scallop, and BSAI crab FMPs is deferred to the State of Alaska while the Council retains oversight of major allocation decisions. In addition, under the Northern Pacific Halibut Act of 1982, the Council has authority over allocation issues affecting the Pacific halibut fishery in and off Alaska while the International Pacific Halibut Commission retains responsibility for conservation management of this fishery.

Of all fisheries managed under FMPs, only four species currently are considered to be overfished. These species include the Pribilof Island blue king crab, Bering Sea snow crab, Bering Sea Tanner crab, and St. Matthew blue king crab. The Council promptly began rebuilding plans for these species as required by the Magnuson-Stevens Act and these plans have been approved by the NOAA’s National Marine Fisheries Service. Rebuilding plans were approved for Pribilof Island blue king crab in 2004 (FMP Amendment 17), Bering Sea snow crab in 2001 (FMP Amendment 14), St. Matthew blue king crab in 2000 (FMP Amendment 15), and Bering Sea Tanner crab in 2000. During 2005, the abundance of two crab species—Pribilof Island blue king crab and St. Matthew blue king crab—continued to be below their respective minimum stock size threshold.

The most significant fishery management issues, faced by the Council in 2005 and that will receive priority attention in 2006 include:

- Ongoing refinement of rationalization programs for the BSAI and GOA groundfish fisheries;
- Restructuring of the Community Development Quota Program;
- Restructuring of the North Pacific Groundfish Observer Program with regard to costs and data quality;
- Essential Fish Habitat protection in the Bering Sea;
- Ecosystem approaches to management with particular reference to an Aleutian Islands Fishery Ecosystem Plan; and

- Ongoing protected resources concerns such as the protection of right whales and fur seals, and re-initiation of consultation under section 7 of the Endangered Species Act on an FMP-level biological opinion with particular reference to Steller sea lions.

8. Western Pacific Fishery Management Council (WPFMC)

BACKGROUND SUMMARY:

Terms expired in 2005 for three WPFMC members. As a result of the 2005 appointments, the composition of fishing sector representatives is three commercial, four recreational and one “other,” which reflects a change from three commercial, three recreational, and two “other.” The current geographical balance regarding the distribution of at-large seats on the WPFMC remains unchanged. The appointees and reappointee are as follows:

New Member Fishing Sector

Benigno M. Sablan/ “other”

Frank E. Duerr/recreational

M. W. “Rick” Gaffney/recreational

Outgoing Member/Fishing Sector

Reappointment

Frank E. Farm Jr./ “other” (ineligible, by law, for a fourth consecutive term)

Roy N. Morioka/recreational (ineligible, by law, for a fourth consecutive term)

The following table lists the Secretarial appointees currently on the WPFMC:

2005 WESTERN PACIFIC FISHERY MANAGEMENT COUNCIL (8 Members)				
Obl/Atl	Appointed Members	State	Appt. ends	Interest Sector
O	DUENAS, MANUEL P. II	GU	2006	C
O	HALECK, STEPHEN	AmS	2006	R
O	MARTIN, SEAN C.	HI	2006	C
O	SABLAN, BENIGNO M.	CNMI	2008	O
A	EBISUI, EDWIN A. JR.	HI	2007	R
A	DUERR, FRANK E.	HI	2008	R
A	MCCOY, FRANK W.	AmS	2007	C
A	GAFFNEY, MYRICK R.	HI	2008	R

EXPIRING TERMS:

The following members’ terms will expire on August 10, 2006:

1. Manuel P. Duenas II – commercial fishing sector – Guam’s obligatory seat
2. Stephen Haleck – recreational fishing sector – Territory of American Samoa’s obligatory seat
3. Sean C. Martin – commercial fishing sector – Hawaii’s obligatory seat

2006 REPORT RECOMMENDATIONS:

Members of the WPFMC who will serve beyond 2006 include one from the commercial sector, three from the recreational sector, and one from the “other” sector. The continuing commercial member’s experience is in seafood marketing, while all the recreational members utilize hook-and-line and rod-and-reel gear. In 2006, the terms of three obligatory appointed members will expire. In order to achieve a balance on the Council, the governors of the State of Hawaii, the Territory of American Samoa, and the Territory of Guam are strongly encouraged to nominate representatives from the commercial and “other” sectors, as well as representatives from the recreational sector. “Other” sector nominees, with backgrounds in academics, fisheries management, environmental science, economics, or social science, and who have knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management, would bring additional knowledge and expertise to the Council.

DISCUSSION:

FMPs are currently in place for five fisheries under the jurisdiction of the WPFMC: pelagics, bottomfish and seamount groundfish, crustaceans, precious corals, and coral reef ecosystems. In 2005, the WPFMC initiated action to amend its fishery management plans, currently species-based, intending to convert them to geographic place-based fishery ecosystem plans (FEPs). Four of the FEPs are archipelagic-based (Hawaii, American Samoa, Mariana Islands, Pacific Remote Islands), while the fifth is the Pelagics FEP. The archipelagic FEPs contain various Management Unit Species (MUS), amalgamated by island group, that will remain unchanged at present from those in the current FMPs. In December 2005, the WPFMC adopted objectives for the FEPs, appropriate boundaries, management unit species, and advisory structures. The Council conducted workshops to provide directions and advice on data and modeling needs for ecological, social science, and policy needs of the new FEPs. The new Western Pacific FEPs are expected to be implemented in 2006.

The WPFMC also began the development of an FMP amendment to end overfishing of bigeye and yellowfin tuna. This action was in response to notification from the Secretary of Commerce that Pacific bigeye tuna was being subjected to unsustainable levels of overfishing. In 2005, the WPFMC also voted to include in the amendment document Pacific yellowfin tuna in anticipation of a Secretarial determination on overfishing status of yellowfin in the western and central Pacific. The FMP amendment is expected to be implemented in 2006.

The most pressing priority for the WPFMC in 2006 is the development of measures to end overfishing of bottomfish in the main Hawaiian Islands (MHI). Fishing mortality is grossly skewed on the segment of the MHI bottomfish stock complex, a fishery where

most of the fishermen operate. However, both the Northwestern Hawaiian Islands (NWHI) and MHI segments of the stock produce roughly equivalent amounts of fish from commercial fishing, while an unknown but probably substantial recreational catch is also made in the MHI.

Another pressing concern for the WPFMC is the development of policies and mechanisms by which it engages in international fisheries management with regional fishery management organizations in the western and central Pacific and the eastern Pacific regions. Most important will be the development of short- and long-term approaches to quota management, which will be an increasing facet of pelagic fisheries under WPFMC's jurisdiction.

F. Appendix – Statistical Fisheries Data

In addition to assessing the apportionment of membership on each RFMC, this report provides, as required by the Magnuson-Stevens Act, the following statistical information about the status of fisheries managed under each RFMC, and also identifies the number of RFMC members participating in those fisheries. The most recent data were compiled to show the volume of fisheries production and the related effort in each fishery managed under an FMP. 8/

⁸/The Secretary also has management authority over Highly Migratory Species (HMS) in the EEZ off the New England, Mid-Atlantic, South Atlantic, Caribbean, and Gulf of Mexico coasts. An additional table has been included with the following Appendix, which lists FMPs and other statistical data for Atlantic and Gulf HMS.

Appendix

This appendix provides statistical data required by Section 302(b)(2)(B)(i) of the Magnuson-Stevens Fishery Conservation and Management Act. Unless otherwise indicated, the data are for the 2004–2005 fisheries listed by fishery management plan (FMP). Reported landings noted are for catches throughout the entire range of a fishery managed under the FMP. Beginning from the leftmost column, the listed data are:

1. FMPs developed by each RFMC;
2. the type of fishery managed under each plan, i.e., commercial or recreational, or mixed (see below);
3. species/species groups making up each fishery;
4. the weight of each species or species group in a fishery landed in 2003 (or as otherwise indicated) showing both the landings for commercial and recreational fishers, if recreational information is available;
5. the number of fishermen participating in the listed fisheries, if available; otherwise, the number of U.S. vessels either permitted or estimated to be operating in the fishery;
6. gear and processing methods used in each fishery;
7. the range and seasonality of the fishery; and
8. the number of current RFMC members who are commercial or recreational sector participants in each fishery; or their representatives. ⁹/

LEGEND FOR TYPE FISHERIES

C - Commercial fishery: Eighty percent or more of the reported landings are by commercial fishermen.

c - Mainly commercial fishery: More than 60 percent but less than 80 percent of the reported landings are by commercial fishermen.

x - Mixed fishery: Sixty percent or less of the reported landings are by each group of commercial and of recreational fishermen.

r - Mainly recreational fishery: More than 60 percent but less than 80 percent of the reported landings are by recreational fishermen.

R - Recreational fishery: Eighty percent or more of the reported landings are by recreational fishermen.

9/Vertical sums in the attached appendices may not match the sums entered for interest sectors in Table 1 on page 7. If one or more fishermen actively participated in more than one fishery, the vertical sum will exceed the number entered in the interest sector column. Also, if a Council member participated in a currently closed fishery, he or she is still listed as a representative of the fishery in the table because of the expertise they bring to the Council regarding the operation of the fishery.